

Atty. Dkt. No. 200310991-1

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SEP 12 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Timothy M. Souza  
Title: PERISTALTIC PUMP  
Appl. No.: 10/657,425  
Filing Date: 09/08/2003  
Examiner: Kocz Jr., Michael  
Art Unit: 3746

<p><b>CERTIFICATE OF FACSIMILE TRANSMISSION</b></p> <p>I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Todd A. Rathe</u> (Printed Name)</p> <p><u>Todd A. Rathe</u> (Signature)</p> <p><u>09/12/2006</u> (Date of Deposit)</p>
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**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on August 16, 2006 in which an election of species requirement was imposed under 35 U.S.C. § 121.

**I. Election of Species Requirement**

The Office Action asserted that the Invention includes the following species:

- Species of Figure 3;
- Species of Figure 7;
- Species of Figure 10;
- Species of Figure 13; and
- Species of Figure 14

**II. Election**

In response, Applicant elects the Species of Figure 3. Each of claims 1-8, 10-15, 17-18 and 32-40 are believed to be readable on the Species of Figure 3. At least claim 1 and

Atty. Dkt. No. 200310991-1

claims 32-40 are believed to be generic to each of the Species. Accordingly, upon allowance of independent claim 1, Applicant respectfully requests reinstatement of the to be withdrawn claims 9, 16, and 19-31 which depend from claim 1.

Respectfully submitted,

Date Sept. 12, 2006

By Todd A. Rathe

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Todd A. Rathe  
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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80627-2400

## PATENT APPLICATION

ATTORNEY DOCKET NO. 200310991-1Inventor(s): Timothy M. Souza  
Application No.: 10/657,425  
Filing Date: 09/08/2003Confirmation No.:  
Examiner: Kocz Jr., Michael  
Group Art Unit: 3748

Title: PERISTALTIC PUMP

Mail Stop  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Transmitted herewith is/are the following in the above-identified application:

- ☒
- Response/Amendment
- 
- ☐
- New fee as calculated below
- 
- ☒
- No additional fee
- 
- ☐
- Other

- ☐
- Petition to extend time to respond
- 
- ☐
- Supplemental Declaration

Fee\$

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$50	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1690		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.18 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being  
transmitted to the Patent and Trademark Office  
facsimile number (571) 273-8300.  
Date of facsimile: 09/12/2006

Typed Name: Todd A. Rathe

Signature: Todd A. Rathe

Respectfully submitted,

Timothy M. Souza

By Todd A. Rathe

Todd A. Rathe

Attorney/Agent for Applicant(s)

Reg No. : 38,276

Date : 09/12/2006

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Rev 10/05 (TransAmndFax)

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200310991-1

Inventor(s): Timothy M. Souza

Confirmation No.:

Application No.: 10/857,428

Examiner: Kocz Jr., Michael

Filing Date: 09/08/2003

Group Art Unit: 3746

Title: PERISTALTIC PUMP

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Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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☐ New fee as calculated below  
☒ No additional fee  
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- ☐ Petition to extend time to respond  
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Fee\$

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EXTENSION FEE	<input type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1590		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

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